



UNITED STATES
HOUSE OF REPRESENTATIVES

ROSA L. DeLAURO

3RD DISTRICT, CONNECTICUT

November 24, 2014

The Honorable Shaun Donovan
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Donovan:

I urge you to finalize the Descriptive Designation for Needle- or Blade-Tenderized (Mechanically Tenderized) Beef Products and the rule on Common or Usual Name for Raw Meat and Poultry Products Containing Added Solutions. Any delay in finalizing these important rules will deprive consumers of accurate information about these products so they can make informed purchasing decisions and prepare these products safely. If these two rules are not finalized by December 31 of this year, implementation will be delayed by another two years (until 2018) due to FSIS' requirements on uniform compliance dates for meat and poultry labeling.

The mechanically tenderized beef label has been under consideration for six years and is long overdue. A 2008 study conducted by USDA indicated that approximately 50 million pounds of mechanically tenderized beef products were sold every month. These products do not currently have to be labeled so consumers do not know that they are different, present different risks, and require different preparation than whole cuts of beef. Mechanically tenderized beef caused at least five *E. coli* O157:H7 outbreaks between 2003 and 2009, causing 174 illnesses, one of them fatal, according to the national Centers for Disease Control and Prevention. They also reported at least 75 outbreaks associated with beef over the five-year period between 2009 and 2013. Of those, 35 percent were caused by *E. coli* O157:H7. Yet, according to FSIS's 2013 Pathogen Controls in Beef Operations Survey, less than one-quarter of the federally inspected beef facilities that produce mechanically tenderized product have controls in place to ensure product is used as intended.

Clearly this is a public health issue that the agency must address. As I noted in my April 2012 letter to USDA, non-intact products like mechanically tenderized beef present a different risk than intact meat products and have a higher recommended cooking temperature from USDA. This higher temperature is intended to kill pathogens that may have been introduced into the meat during processing. However, because these mechanically tenderized products are not

labeled, consumers may prepare them as if they were intact cuts of meat. USDA's outreach regarding safe handling and preparation is but one part of preventing illness. Without accurate and complete labels on these products, we are not providing consumers with the information they truly need to follow safe preparation practices.

The added solutions rule seeks to address an issue that was brought to USDA's attention nearly a decade ago. Solutions added to a raw product to enhance flavor or texture may increase sodium levels and change other nutritional content of the products. Consumers, particularly those concerned about added sodium in their diet, need clear labeling. In addition, adding large amounts of solution to meat and poultry products may result in consumers paying meat prices for water. According to former Under Secretary of Food Safety, Dr. Elisabeth Hagen, "Consumers should be able to make an informed choice in the store, which is why we need to provide clear, informative labels that will help consumers make the best decisions about feeding their families. It has become evident that some raw meat and poultry labels, even those that follow our current guidelines, may not be clear."

It has now been over three years since the proposed added solution rule was published and over one year since the proposed mechanically tenderized beef rule was published. While the United States has been considering the merits of these rules, other countries have initiated labeling changes for these products. Canada requires labeling of certain raw meat and poultry products containing added solutions. Canada also mandated a label for mechanically tenderized beef products after its massive 2012 recall associated with those products. American consumers deserve the same information.

I urge you to publish and implement the final rules quickly so American consumers will no longer be left in the dark. Thank you for considering the public health and economic impacts that will occur if USDA fails to implement these rules before the end of the year.

Sincerely,



Rosa L. DeLauro
Member of Congress